

### **REMARKS**

Applicants thank the Examiner for total consideration given the present application. Claims 1-7 and 9-11 are currently pending. Claims 1, 9, 10, and 11 are independent. Claim 10 has been amended through this reply. Applicants respectfully request reconsideration of the rejected claims in light of the remarks presented herein, and earnestly seek timely allowance of all pending claims.

#### **Interview Summary**

Applicants thank the Examiner for granting a telephone interview with the Applicants' representative on February 27, 2007. During the interview, Applicants' representative explained the invention and the Examiner agreed to withdraw the outstanding 35 U.S.C. §112, second paragraph, rejection upon filing a response to the rejection. Particularly, the Examiner agreed that previously presented claims 1-7 and 9-11 clearly points out and distinctly claims the subject matter, which the Applicants regard as their invention.

#### **Amendment**

Claim 10 has been amended merely to address informal issues and to enhance clarity. It is intended that the scope of the claim remains substantially the same. Applicants respectfully submit that the amendment made to the claim does not add any new matter to the application and it is not narrowing, and is not made for a reason relating to patentability. Accordingly, it is submitted that the amendment does not give rise to estoppel and, in future analysis, claim 10 is entitled to its full range of equivalents.

#### **35 U.S.C. § 112, 2nd Paragraph Rejection**

The Examiner rejects claims 1, 5-7, and 9-11 under 35 U.S.C. § 112, second paragraph, by alleging that the claims do not particularly point out and distinctly claim the subject matter with the Applicants regard as their invention. Applicants respectfully disagree with the Examiner's assertion and thereby traverse the rejection.

Applicants respectfully submit that the Examiner's focus during examination for compliance with the requirement of definiteness in § 112, 2nd paragraph is whether the claim meets the threshold requirements of clarity and precision. To do this, the Examiner needs only ensure that the claims define the invention with a reasonable degree of particularity and distinctness. See M.P.E.P. § 2173.02.

Applicants submit that the claims clearly point out and distinctly claim the subject matter of the invention. Independent claim 1 recites, *inter alia*, a control system for controlling a steering device of a ship by the heading of the ship wherein the control system comprises a behavior feature value detector, a variation calculator, and a control parameter updator. Independent claim 9 recites, *inter alia*, a control method for regulating the heading of a ship wherein the control method comprises a behavior feature value detecting step, a variation calculating step, and a control parameter updating step. Independent claim 10 recites, *inter alia*, a control state judgment device used in a control system for controlling a steering device of a ship by regulating the heading of the ship wherein the control judgment device comprises a behavior feature value detector, a variation calculator, and a control state judgment section. Independent claim 11 recites, *inter alia*, a control state judgment method for used in a control system for controlling a steering device of a ship by regulating the heading of the ship wherein the control judgment method comprises a behavior feature value detecting step, a variation calculating step, and a control state judgment step. As acknowledged by the Examiner during the telephone interview on February 27, 2007, the above-identified claim features particularly point out and distinctly claim the subject matter which the Applicants regard as their invention.

Accordingly, Applicants respectfully request that the Section 112, second paragraph rejection of claims 1, 5-7 and 9-11 be withdrawn.

#### Election/Restriction

In the Office Action, the Examiner did not indicate whether the previous Restriction Requirement has been withdrawn. However, since the Examiner issued a second non-final Office

Action on the merits for all pending claims, it is assumed that the Examiner has withdrawn the Restriction Requirement made on August 24, 2006.

Claim Objection

The Examiner objects to claims 2-4 (please see page 3, paragraph 6 of the Office Action). However, the Examiner does not provide any reasons why the claims have been objected to. Thus, it is assumed that claims 2-4 include allowable subject matter.

CONCLUSION


In view of the above remarks, Applicants believe the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Ali, Reg. No. 58,755 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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